

1. Holiday entitlement under E.O. 11696 and 5 USC 6103(c).

a. Section 6103(c) Background.

(1) Section 6103(c) of title 5 United States Code establishes Presidential Inauguration Day as a holiday for the Washington, D.C., metropolitan area. "Metropolitan area" is specifically defined in the statute to include only the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia. Employees with official duty stations in any other location are not entitled to holiday benefits for Inauguration Day under the provisions of section 6103(c).

(2) By Bulletin No. 610-18 dated May 25, 1972, the Commission advised agencies that under section 6103(c), Saturday, January 20, 1973, Presidential Inauguration Day, would only be a holiday for employees in the specified geographic area whose work schedules include that day as a scheduled workday (a regular day not an overtime day). This means that an "in lieu" day off may not be granted when Inauguration Day falls on an employee's scheduled nonworkday. Moreover, the bulletin provided information to the effect that Friday, January 19, 1973, would not be a legal holiday for pay and leave purposes. This statement is valid insofar as the applicability of section 6103(c) is concerned, i.e., no "in lieu" day off on January 19 if January 20, 1973, is a scheduled nonworkday.

b. E.O. 11696 Background.

(1) This Executive order excuses certain employees in the Washington, D.C., standard metropolitan statistical area (SMSA). The SMSA is defined to include the same locations as specified in section 6103(c) (stated in paragraph 1 a.(1) above) but is expanded to include also Fairfax City, Loudoun County and Prince William County in Virginia. Thus, for the 1973 Inauguration, employees with a duty station in one of these three geographic areas are not entitled to any holiday for Saturday, January 20, 1973, under the provisions of section 6103(c).

(2) The Executive order establishes a one-half day holiday on Friday, January 19, 1973, for employees in the Washington, D.C., SMSA, except those who receive holiday benefits under the provisions of section 6103(c). Because of differences in the geographic definitions in section 6103(c) and E.O. 11696, employees in the Washington area will be entitled to different holiday benefits, as illustrated in the following table.

Holiday Entitlement Table - January 19, 1973, or January 20, 1973

Employee Work and Geographic Status	Entitled to Holiday on Friday, January 19, 1973	Entitled to Holiday on Saturday, January 20, 1973
Full-time and Part-time -- January 20, regular workday -- geographic locations in (1) below	No	Yes
Full-time - January 20, regular workday -- geographic locations in (2) below	Yes (3)	No
Full-time and Part-time January 19 and 20, Regular workdays -- geographic locations in (1) below	No	Yes
Full-time and Part-time January 19 and 20, regular workdays -- geographic locations in (2) below	Yes	No
Full-time and Part-time January 19 regular workday -- geographic locations in (1) and (2) below	Yes	No
Part-time January 19 and 20 -- nonworkdays -- geographic locations in (1) and (2) below	No	No
Intermittent - daily - hourly - piece work employees - geographic locations in (1) and (2) below	No	No

- (1) Washington, D.C. Metropolitan Area as defined in section 6103(c) which includes the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia.
- (2) For purposes of this holiday entitlement table limited to duty stations in Fairfax City, Loudoun County, and Prince William County in Virginia.
- (3) Full-time employees for whom Friday is a nonworkday would receive "in lieu" time off.

2. For affected employees entitled to either the one-half day excusal for duty on January 19, 1973, or Inauguration Day January 20, 1973, for purposes of pay and leave administration the day or part of day is to be treated as follows:
  - a. When a holiday falls on a regularly scheduled workday in an employee's basic workweek, that workday is his holiday.
  - b. When a holiday falls on a nonworkday outside the employee's basic workweek, the employee's holiday is determined in accordance with 5 U.S.C. 6103(b) and Executive Order 11582. (NOTE: These provisions apply only to full-time employees and are limited to Friday January 19, 1973. No "in lieu" time is authorized for any employees for Saturday January 20, 1973.)
  - c. An employee with an intermittent tour of duty, or an employee paid on a daily, hourly, or piecework basis who is not a regular employee, as defined by section 610.303(b), has no holiday. (See subchapter S3 of book 610, FPM Supplement 990-2.)
  - d. When an employee is excused from working on a holiday, as determined above (including an employee on approved leave), he will be paid, without charge to leave, for his regularly scheduled hours of work on that day.
  - e. When an employee entitled to the holiday is required to work on the holiday, as determined above, he will be paid holiday premium pay for hours worked during his regularly scheduled tour on that day. (For example, a General Schedule employee will be paid in accordance with 5 U.S.C. 5546 and section 550.131 and 550.132 of the Commission's regulations.)
  - f. When an employee is in a nonpay status either before or after the holiday, he is entitled to pay for the holiday even though not worked, but if he is in a nonpay status before and after the holiday, he is not entitled to pay for the holiday.
  - g. Part-time employees for whom neither Friday, January 19, 1973, nor Saturday, January 20, 1973, is a scheduled workday have no holiday either day. No "in lieu" time-off is authorized for part-time employees if a holiday falls on a nonworkday.
  - h. For employees separated on or after January 17, 1973, the date of Executive Order 11696, the half-day holiday will be included in the computation of the lump-sum payment when the annual leave included in the computation is sufficient to include January, 19, 1973.

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